MAR 1 4 2005 Process of the Reduction Act of 1995.		Patent and Tr	PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031 rademark Office; U.S. DEPARTMENT OF COMMERCE
THAT I THE PROPERTY OF REDUCTION ACT OF 1995.	Application Number	10/829,561	ormation unless it displays a valid OMB control number.
TRANSMITTAL	Filing Date	April 22, 2004 BRISTER, Mark	
FORM	First Named Inventor		
	Art Unit	3736	
(to be used for all correspondence after initial fil	Examiner Name	LACYK, Jo	hn P.
Total Number of Pages in This Submission	Attorney Docket Number	PA1315	
ENCLOSURES (Check all that apply)			
Fee Transmittal Form Fee Attached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Reply to Missing Parts/	Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence A Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on CD Remarks	ddress	After Allowance Communication to TC Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please Identify below): Return Postcard
Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name Medtronic Vascular, Inc.			
Signature Win 1			
Printed name Michael J. Jaro			
Date March 8, 2005	F	Reg. No.	34,472
CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on			

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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By: V Kimbarly Melvin

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.

10/829,561

Confirmation No.: 6

352

Applicant Filed

Mark Brister 04/22/2004

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TC/A.U.

3736

Examiner

John P. Lacyk

Docket No.

P1315

Customer No.

28390

Title

Method of Treating Vulnerable Plaque Using a

Catheter-based Radiation System

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 15, 2004, please amend the above-identified application as set forth below. This reply is being submitted within three months of the mailing date of the office action.

Introductory Comments begin on page two (2) of this paper.

Amendments to the Specification begin on page three (3) of this paper.

Amendments to the Claims are reflected in the listing of claims which begin on page four (4) of this paper.

Remarks/Arguments begin on page eleven (11) of this paper.

Introductory Comments:

The present amendment replies to a non-final Office action dated December 15, 2004. Claims 1–32 are currently pending in the present application.

In the Office action, Examiner Lacyk asserted the following objections and rejections:

- A. The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter;
- B. Claims 1–2, 4–7, 15, and 27–32 were rejected under 35 U.S.C. §102(e) as being anticipated by Phelps et al. (6,475,210);
- C. Claims 8–12, 14, 16–18, and 20–26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Phelps et al. (6,475,210) in further view of Geoffrion et al. (6,338,709);
- D. Claims 3, 13, and 19 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten as indicated.

Applicant responds to the objections and rejections as subsequently recited herein and respectfully request reconsideration and further examination of the present application under 37 CFR §1.111.